

CSG Client Services Guide	Date Issued 2/1/08	Subject <i>Basic Eligibility</i> <i>Requirements</i>	Eligibility
			Section 300

CSG Table of Contents.....	2
CHAPTER 3 - ELIGIBILITY.....	2
300 BASIC ELIGIBILITY REQUIREMENTS	2
300.1 Federal Regulations.....	2
State Rules.....	2
300.2 Definitions.....	2
300.2.1 <i>Physical or mental impairment</i>	2
300.2.2 <i>Substantial impediment to employment</i>	2
300.2.3 <i>Employment outcome</i>	3
300.3 Assessment for Determining Eligibility and Priority for Services.....	3
300.4 Basic Eligibility Requirements.....	4
300.5 Presumption of Benefit	4
300.6 Presumption of Eligibility (Social Security Recipients and Beneficiaries).....	5
300.7 Ineligibility Certification	5
300.8 Physical or Mental Impairment (Expeditious Review of Records).....	6
300.9 Substantial Impediment to Employment.....	7
300.10 Requires VR Services to Reach an Employment Outcome.....	7
300.11 Procedure.....	8
310 SIGNIFICANTLY DISABLED (SD) CLASSIFICATION	9
310.1 Federal Regulations.....	9
State Rules.....	9
310.2 SD Classification Definitions	9
310.2.1 <i>Category I - Individual with the Most Significant Disability (MSD):</i>	9
310.2.2 <i>Category II - Individual with a Significant Disability (SD):</i>	9
310.2.3 <i>Category III - Individual with a Disability:</i>	10
310.3 SD Classification Form/Procedure	10
320 ORDER OF SELECTION – PRIORITY CATEGORIES	11
320.1 Federal Regulations.....	11
State Rules.....	11
320.2 Order of Selection and Priority Categories – Best Case Practice.....	11
320.3 Procedure.....	12
330 EXTENDED EVALUATION.....	15
330.1 Federal Regulations.....	15
330.2 Best Case Practice	15
330.3 Procedure.....	15

CSG Client Services Guide	Date Issued 2/1/08	Subject <i>Basic Eligibility Requirements</i>	Eligibility
			Section 300

[CSG Table of Contents](#)

CHAPTER 3 - ELIGIBILITY

300 BASIC ELIGIBILITY REQUIREMENTS

300.1 Federal Regulations

- [34 CFR 361.42](#) - Assessment for Determining Eligibility
- [34 CFR 361.42\(e, f\)](#) - Trial Work Experiences and Extended Evaluation
- [34 CFR 361.43](#) - Ineligibility
- [34 CFR 361.44](#) - Closure without Determining Eligibility
- [34 CFR 361.5](#) - Definitions

State Rules

- [5 CSR 90-4.200](#) Eligibility

300.2 Definitions

300.2.1 Physical or mental impairment

- Any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more of the following body systems: neurological, musculo-skeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin and endocrine; or
- Any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness and specific learning disabilities.

300.2.2 Substantial impediment to employment

- A physical or mental impairment which hinders an individual from preparing for, entering into, engaging in or retaining employment consistent with the individual's abilities and capabilities.

CSG Client Services Guide	Date Issued 2/1/08	Subject <i>Basic Eligibility</i> <i>Requirements</i>	Eligibility
			Section 300

300.2.3 Employment outcome

- Entering or retaining full-time or, if appropriate, part-time competitive employment, in the integrated labor market, supported employment, or any other type of employment in an integrated setting, including self-employment, telecommuting, or business ownership, that is consistent with an individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

300.3 Assessment for Determining Eligibility and Priority for Services

- The VR counselor must review/assess existing data:
 - To determine if an individual is eligible for VR services; and
 - To assign priority under an order of selection for services.
- A review and assessment of existing data may include:
 - counselor observations from the initial interview,
 - medical/psychological/educational records,
 - social security benefit documentation,
 - other agency records, and
 - other information provided by the individual or individual's family
- Upon review of the existing data, the counselor should be able to determine the client's disability(s), and identify the specific functional limitations resulting from the client's disability(s).
- To the extent existing data does not describe the current functioning of the individual, or existing records are unavailable/insufficient, provision of the following VR services may be provided/authorized to assist the counselor in making a determination of eligibility:
 - trial work experiences
 - assistive technology devices/services
 - personal assistant services
 - any other support services necessary

CSG Client Services Guide	Date Issued 2/1/08	Subject <i>Basic Eligibility</i> <i>Requirements</i>	Eligibility
			Section 300

300.4 Basic Eligibility Requirements

- Determination of an applicant's eligibility for VR services is based on the following requirements:
 - A physical or mental impairment, as determined by qualified personnel licensed or certified in accordance with state law or regulation,
 - that constitutes or results in a substantial impediment to employment, and
 - requires vocational rehabilitation services to prepare for, secure, retain or regain employment consistent with the applicant's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

300.5 Presumption of Benefit

- VR must presume that an applicant who meets the basic eligibility requirements can benefit from the provision of vocational rehabilitation services in terms of an employment outcome, unless it can be demonstrated by clear and convincing evidence that the applicant is incapable of benefiting from VR services due to the severity of the applicant's disability.
- Prior to any determination that an individual with a disability is incapable of benefiting from VR services, the counselor must explore the individual's abilities, capabilities, and capacity to perform in realistic work situations.
- The following steps should be taken prior to determining the client's ability to benefit from services:
 - Coordinate an evaluation in the most integrated setting possible, consistent with informed choice and the rehabilitation needs of the individual through trial work experiences.
 - Develop a Status 06 IPE to assess the client's abilities.
 - Place the case in Status 06 – Extended Evaluation

CSG Client Services Guide	Date Issued 2/1/08	Subject <i>Basic Eligibility Requirements</i>	Eligibility
			Section 300

300.6 Presumption of Eligibility (Social Security Recipients and Beneficiaries)

- Any applicant who has been determined eligible for Social Security benefits under Title II (SSDI) or Title XVI (SSI-D) of the Social Security Act is:
 - Presumed eligible for VR services
 - Considered an individual with a significant disability
- Presumptive eligibility does not apply to clients receiving SSI-Aged or SSDI-Survivor Benefits; however, any applicant who has been determined eligible for Social Security benefits under Title II, and **transitions** from SSDI to SS Retirement upon reaching full retirement age, would be presumed eligible.
- If an applicant indicates they are receiving SSDI or SSI-D benefits, and either cannot provide appropriate documentation, or identify the type of social security benefits received; it is the counselor's responsibility to contact the local social security office to verify this information.
- The VR counselor is also responsible for informing applicants they must intend to achieve an employment outcome consistent with their unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

300.7 Ineligibility Certification

- A certification of ineligibility is required when the counselor determines the individual ineligible for any of the following reasons:
 - Disability is too severe, or an unfavorable medical prognosis with clear and convincing evidence
 - No disabling condition
 - No impediment to employment
- The counselor should make the ineligibility determination only after providing an opportunity for full consultation with the individual or their representative.
- Best case practice includes contacting the client by phone or e-mail, in addition to informing them in writing of the ineligibility determination, and the reasons for that determination/potential case closure.
- If the counselor is able to make direct contact with the individual who has been determined ineligible, they should also refer them to:

CSG Client Services Guide	Date Issued 2/1/08	Subject <i>Basic Eligibility Requirements</i>	Eligibility
			Section 300

300.7 Ineligibility Certification (continued)

- Other programs that are part of One-Stop service delivery systems, and/or
 - Local extended employment providers
- The closure letter should include the following:
 - Reason for case closure
 - Client's right to appeal or request mediation services if dissatisfied with closure decision
 - Description of services available from a Client Assistance Program (CAP)
- If the case is closed because the individual is incapable of achieving an employment outcome due to the severity of their disability, the counselor is required to review the ineligibility determination within 12 months and annually thereafter, if requested by the individual or their representative.

300.8 Physical or Mental Impairment (Expeditious Review of Records)

- Eligibility should be determined within two weeks of receipt of medical information/proof of benefit. Act with a sense of urgency.
- Use existing information and information provided by the individual and individual's family, other programs and providers, as a primary source for eligibility.
- When the individual is receiving SSI /SSDI, document proof of benefit was obtained and that it was used to presume eligibility.
- Review the Health Assessment Questionnaire with the client to ensure all disabling conditions have been addressed, and appropriate medical information has been requested/obtained.
- Request (release of information forms) the minimum amount of medical documentation necessary to determine eligibility.
- Ensure all records/proof of benefit statement are date stamped upon receipt.
- In those rare instances in which additional information is needed to establish eligibility, the counselor may schedule and authorize the appropriate examination(s).

CSG Client Services Guide	Date Issued 2/1/08	Subject <i>Basic Eligibility</i> <i>Requirements</i>	Eligibility
			Section 300

300.8 Physical or Mental Impairment (Expeditious Review of Records) (continued)

- In the event further consultation/medical expertise is necessary to determine the disabling condition and/or resulting limitations, the counselor may seek additional guidance from the district office supervisor, medical consultant, the state LD psychological consultant, the state ADD/ADHD psychological consultant or the district office LD/ADHD specialist.

300.9 Substantial Impediment to Employment

- Once the VR counselor has reviewed the medical records and determined the disabling conditions and resulting functional limitations, a direct correlation between the disability(s), functional limitations and impediment to employment should be established.
- Consider how the client's disability affects his/her ability to:
 - Obtain, retain or prepare for employment
 - Perform job tasks associated with past and/or current employment
- The impediment to employment should be identified, and addressed as appropriate, throughout the vocational planning process and case closure.

300.10 Requires VR Services to Reach an Employment Outcome

- Once the counselor has identified the disabling condition(s), resulting limitations, and substantial impediment to employment, consider/document how VR services will benefit the client's employability by determining:
 - The services needed to help the client obtain/return to employment
 - The objective evidence in the case folder to support these services
- The counselor, under direction of the district supervisor, is responsible for the determination of eligibility, completion of the Eligibility Certification, client notification, and any subsequent services which may be provided.
- The Eligibility Certification must be signed by the VR Counselor.

CSG Client Services Guide	Date Issued 2/1/08	Subject <i>Basic Eligibility Requirements</i>	Eligibility
			Section 300

300.11 Procedure

- Review existing information and initial report of contact (RC). Reminder that eligibility can not be determined without the client's social security number.
- Follow up on release of information forms every 10 working days.
- Determine eligibility within five to ten days of receipt of medical information or proof of benefit.
- Request an extension if eligibility has not been determination within 60 days of the client's application for services. Eligibility extension requires the following documentation be obtained **prior to** the 60th day:
 - Reason for extension
 - Verbal permission from client with follow-up letter, or
 - Written permission from client via extension letter
 - Complete **O2x** status move
- If trial work experience/extended evaluation is needed to determine if the individual can benefit from VR services:
 - Complete, sign and date Parts I and II of the Eligibility Certification
 - Complete SD Classification form (must be MSD)
 - Develop a written plan (IPE) for providing services
 - Complete **06** status move
 - Evaluate every 90 days
- Once eligibility has been determined:
 - Complete, sign, and date Parts I, II, and III of the Eligibility Certification
 - Complete SD Classification and assign priority category
- If client is assigned a priority category currently being served:
 - Complete/send (within three working days) 10 eligibility letter
 - Include an appointment date/time or next plan of action in letter
 - Complete **10** status move
- If client is assigned a priority category not currently being served due to insufficient funds:
 - Complete/send (within three working days) 04 eligibility letter
 - Complete **04** status move
- If client is not eligible for services, or a decision has been reached to close the individual's case prior to eligibility determination:
 - Complete/send (within three working days) appropriate closure letter
 - Complete **08** status move and close case

CSG Client Services Guide	Date Issued 12/9/09	Subject <i>Significantly Disabled (SD) Classification</i>	Eligibility
			Section 310

310 SIGNIFICANTLY DISABLED (SD) CLASSIFICATION

310.1 Federal Regulations

[34 CFR 361.36](#) - Order of Selection

[34 CFR 361.5](#) - Definitions

State Rules

[5 CSR 90.4-300](#) - Order of Selection for Services

310.2 SD Classification Definitions

310.2.1 Category I - Individual with the Most Significant Disability (MSD):

- An individual with a significant disability, who is seriously limited in **three or more** of the following functional capacity areas:
 - Self-Care
 - Communication
 - Mobility
 - Self-Direction
 - Work Tolerance
 - Work Skills
 - Interpersonal Skills

310.2.2 Category II - Individual with a Significant Disability (SD):

- An individual with a disability who has a severe physical or mental impairment that seriously limits **one or more** functional capacity areas (listed above) in terms of an employment outcome;
- Whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and
- Who has one or more physical or mental disabilities or combination of disabilities determined on the basis of an assessment for determining eligibility and vocational rehabilitation needs to cause comparable substantial functional limitation.
- An applicant who is determined eligible for Social Security Benefits Title II (SSDI) or Title XVI (SSI-D) of the Social Security Act is considered, at minimum, and individual with a significant disability. This does not apply to individuals receiving SSI-A or SSDI-Survivor Benefits.

CSG Client Services Guide	Date Issued 12/9/09	Subject <i>Significantly Disabled (SD) Classification</i>	Eligibility
			Section 310

310.2.3 Category III - Individual with a Disability: (continued)

- Any individual with a physical or mental impairment,
- Whose impairment constitutes or results in a substantial impediment to employment; and
- Who can benefit in terms of an employment outcome from the provision of vocational rehabilitation services.

310.3 SD Classification Form/Procedure

- The functional capacities selected must be expected to be permanent, ongoing, and seriously limiting with respect to employment.
- Comments should be made to clarify the endorsement of any functional capacity which is not clearly documented in the case file.
- Information contained in the eligibility certification, initial interview report of contact, and medical, psychological, or academic records must substantiate how the disability/functional limitations create an impediment to employment.
- Complete SD classification form in association with the Eligibility Certification, mail appropriate eligibility letter, and enter appropriate status move (either 04 or 10) in MoRIS.

CSG Client Services Guide	Date Issued 10/1/07	Subject <i>Order of Selection – Priority Categories</i>	Eligibility
			Section 320

320 ORDER OF SELECTION – PRIORITY CATEGORIES

320.1 Federal Regulations

[34 CFR 361.36](#) - Order of Selection

[34 CFR 361.50](#) - Definitions

State Rules

[5 CSR 90.4-300](#) - Order of Selection for Services

320.2 Order of Selection and Priority Categories – Best Case Practice

- In the event vocational rehabilitation services cannot be provided to all eligible individuals with disabilities in the State of Missouri, the Division of Vocational Rehabilitation (DVR) will implement a statewide order of selection.
- In accordance with the following priority categories, individuals with the most significant disabilities will be selected first for the provision of vocational rehabilitation services. Services shall be provided based upon the eligible individual's placement in one (1) of the following priority categories:
 - **Priority Category I:** An individual with the most significant disability.
 - **Priority Category II:** An individual with a significant disability.
 - **Priority Category III:** An individual with a disability.
- An eligible individual will:
 - Be placed in the appropriate priority category;
 - Receive written notification of the assigned priority category; and
 - Be notified of their right to appeal their category assignment.
- An eligible individual's placement in a priority category may be changed under justifiable circumstances, such as receipt of additional medical records.
- Rationale for priority category placement must be documented.
- The order of selection or closing of a priority category shall in no way affect:
 - The provision or authorization of diagnostic and evaluation services needed to determine eligibility
 - The eligible individual's access to services provided through VR's information and referral system

CSG Client Services Guide	Date Issued 10/1/07	Subject <i>Order of Selection –</i> <i>Priority Categories</i>	Eligibility
			Section 320

320.2 Order of Selection and Priority Categories – Best Case Practice (continued)

- Services already authorized or provided to any eligible individual
- The provision of Post-Employment Services
- Eligible individuals who are in a priority category not currently being served shall be provided the following:
 - Accurate vocational rehabilitation information and guidance using appropriate modes of communication to assist in preparing for, securing, retaining or regaining employment
 - Referral to other appropriate Federal and State programs, including the statewide workforce investment career centers that offer short term training programs and/or job placement assistance.
 - A notice of the referral to the agency carrying out the program, and
 - Information identifying a specific point of contact within the agency to which the individual is being referred

320.3 Procedure

- Discuss Order of Selection and provide Q and A sheet at initial interview.
- Discuss District Office Resource List and provide at initial interview.
- Determine eligibility and complete SD Classification Form identifying the priority category to which the client has been assigned.
- Once eligibility and priority category are determined, send the client written notification of eligibility and their assigned priority category.
- If the individual is determined eligible and assigned to a Priority Category currently being served, move case to Status 10, and send eligibility letter to include the following information:
 - Eligibility Determination
 - Priority Category Assignment
 - An appointment date and time, or confirm next step in vocational planning

CSG Client Services Guide	Date Issued 10/1/07	Subject <i>Order of Selection –</i> <i>Priority Categories</i>	Eligibility
			Section 320

320.3 Procedure (continued)

- If the individual is determined eligible, and assigned to a Priority Category not currently being served and placed on a waiting list, move case to Status 04, and send eligibility letter to include the following information:
 - Eligibility Determination
 - Priority Category Assignment
 - Individual's right to appeal, and information on Client Assistance Program (CAP)
 - Referral to one-stop/other agencies to meet the individual's needs
- To maintain a current 04 waiting list, the following practices should be followed:
 - Six months from eligibility, an email is generated notifying the supervisor/assistant supervisor, counselor and senior secretary to send the 04 update letter to those clients remaining in a priority category not currently being served.
 - Twelve months from eligibility for those clients in a priority category not currently being served, an email is generated notifying the supervisor/assistant supervisor, counselor and senior secretary to review and update the case.
 - The counselor should attempt phone contact with the client and/or client's contact numbers, and the outcome of that contact should be documented in the case folder.
 - If unable to contact by phone, the category review letter requesting a response should be mailed to the client, and
 - If the client indicates he/she wants to remain on the waiting list, the above process will be repeated annually.
 - If the client does not respond to the category review letter within fifteen (15) days, phone contact should be made with the client and/or client's contact numbers and the outcome of that contact documented in the case folder. If unable to contact by phone, place case in an inactive status at that time.
 - Central Office will notify, via email, District Supervisor/Assistant District Supervisor, Counselor and Senior Secretary when funds are available.
 - Notify client by "Status 04-10" letter.

CSG Client Services Guide	Date Issued 10/1/07	Subject <i>Order of Selection –</i> <i>Priority Categories</i>	Eligibility
			Section 320

320.3 Procedure (continued)

- As soon as client indicates interest, case will be moved to status 10 to proceed with vocational planning and providing services.
- If client does not respond within fifteen (15) days, send “Status 04 Reminder Letter/Closure”.
- If client does not respond within thirty (30) days, place case in inactive status, and close status 30.

CSG Client Services Guide	Date Issued 3/31/10	Subject <i>Extended Evaluation</i>	Eligibility
			Section 330

330 EXTENDED EVALUATION

330.1 Federal Regulations

[34 CFR 361.42\(e, f\)](#) - Trial Work Experiences and Extended Evaluation
[34 CFR 361.5](#) - Definitions

330.2 Best Case Practice

- In rare situations, the VR counselor may determine that an individual cannot benefit from vocational rehabilitation services in terms of an employment outcome because the individual's disability is too severe.
- Prior to any determination that an individual with a disability is incapable of benefiting from vocational rehabilitation services due to the severity of that individual's disability, the counselor must obtain **clear and convincing evidence** that the client cannot benefit from services in terms of an employment outcome.
- To obtain **clear and convincing** evidence, conduct an exploration of the individual's abilities, capabilities, and capacity to perform in realistic work situations, using trial work experiences and, if necessary, extended evaluations.
- Trial work experiences and extended evaluations should be conducted in Status 06-Extended Evaluation, and review the case at least once every 90 days to determine if there is enough information to ascertain whether the client can benefit from VR services in terms of an employment outcome.

330.3 Procedure

- If the counselor determines that trial work experiences or extended evaluation is needed for individuals who are determined Most Significantly Disabled (MSD), the following tasks are required:
 - Complete Parts I and II of the Eligibility Statement
 - Complete the Significantly Disabled Classification Form
 - Develop an Extended Evaluation – Status 06 IPE with the client

CSG Client Services Guide	Date Issued 3/31/10	Subject <i>Extended Evaluation</i>	Eligibility
			Section 330

330.3 Procedure (continued)

- Complete Status 06 move
- If an evaluation is being purchased, complete the appropriate authorization, in accordance with the Status 06 IPE
- Conduct and document 90 day reviews and follow-up.
- Provide additional diagnostic services as needed.